

Federal Election Commission
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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

August 22, 2008

2008 AUG 25 P 12:35

Re: Complaint against Club for Growth Pac and Parnell for Congress

MUR #

6059

Dear Sirs:

This is a complaint filed under FEC rules and regulations alleging a violation of federal election laws by the Club for Growth PAC and Parnell for Congress, the principal campaign committee for Sean Parnell, a candidate for the Republican nomination for the U.S. House from Alaska. This complaint is filed by Barbara Mee and Alaskans for Don Young, the authorized principal campaign committee for Congressman Don Young.

On August 19, the Club for Growth PAC announced and began broadcasting an ad on Alaska television channels including KTVA 11 and KIMO 13 which advocates the election of Sean Parnell, a candidate against Congressman Don Young in the Aug. 26 Republican primary in Alaska. A copy of the ad is posted on the Club of Growth website at <http://www.clubforgrowth.org>. See "Club for Growth PAC Releases New TV and Radio Ads in Alaska Congressional Race."

The ad specifically advocates the election of Sean Parnell for Congress which makes the ad an "in kind" contribution by the PAC to Sean Parnell for Congress. The Club for Growth has already provided \$330,000 in conduit contributions as detailed in Parnell's FEC filings available on the FEC website. The exact value of the current advertisement is unknown but it is reasonable to assume that the preparation, production, and airtime for the ad exceeds the \$5,000 campaign limit for PACs. The Parnell campaign thus has received an excess contribution from the Club for Growth in violation of federal law.

The ad violates FEC rules and regulations as an improper electioneering communication under 11 CFR 100.29. Specifically:

1. Payment Prong - The Club for Growth clearly states that it paid for the ad in its ad content.
2. Content Prong - The ad specifically refers to a clearly identified House candidate, Sean Parnell and is publicly distributed on broadcast television and on the Club for Growth website within 90 days of the Alaska Primary election. Further the ad is running within 30 days of the primary. 2 USC 434(f) (3), 11 CFR 100.29, and 11 DFT 109.21 (c) (iv).
3. Conduct Prong - The ad is a public communication that expressly advocates the election or defeat of a clearly identified candidate, Sean Parnell. It is a communication which is an "electioneering communication" as defined in 11 CFR 100.29 (i.e. a broadcast communication that mentions a federal candidate

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and is distributed to the relevant electorate 30 days before the primary election or 60 days before the general election.

Further, it refers to a clearly identified House or Senate candidate and is publicly distributed to that candidate's jurisdiction.

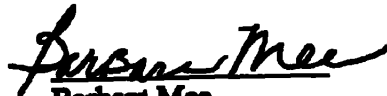
Based on information and belief, it appears that the Club for Growth has worked closely with the Parnell Committee including but not limited to serving as a conduit to funnel tens of thousands of dollars in donations to the Parnell campaign. See Anchorage Daily News dated June 7, 2008 - "Parnell cultivates support from right," Club for Growth email dated August 14, 2008 "New Poll Shows Tie" and Club for Growth news release dated August 19, 2008 "Club for Growth Releases New TV and Radio Ad in Alaska Congressional Race."

This Club for Growth ad appears to be coordinated as that term is defined in 11 CFR 109.21. It is paid for by a person other than an authorized committee. It is an electioneering communication as described above. Mr. Parnell has admitted in these press stories that he has met with Club for Growth staff and discussed with them the Alaska Congressional race. It can be assumed that he has discussed his campaign plans, projects, activities and needs, position on issues, poll results and other information concerning his campaign. He has sought and obtained their endorsement. Mr. Parnell, or his staff, appear to have engaged in substantial discussion with the Club for Growth before the ad was prepared.

The ad is paid for by someone other than the candidate, and it meets the content and conduct standards in the FEC regulations. Thus, under 11 CFR 109.21, the ad appears to have been done in coordination with the Parnell campaign and therefore is not an independent expenditure and an excess donation is occurring.

By this complaint, I request that the FEC investigate the creation payment for, and running of this ad in clear violation of federal laws and regulations.

Sincerely,

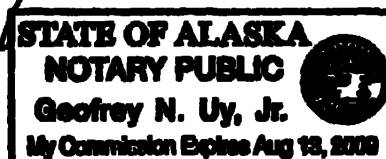


Barbara Mee
4724 Kershner Ave.
Anchorage, Ak 99517

The foregoing was sworn to and signed in my presence.

Dated this 22nd day of August.


Notary Public of Alaska



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Anchorage Daily News (AK){PUBLICATION2}

June 7, 2008

Section: Main

Edition: Final

Page: A1

Parnell cultivates support from right

YOUNG'S PRIMARY RIVAL: Club For Growth endorses him; backing means money.

SEAN COCKERHAM
scockerham@adn.com

Staff

Lt. Gov. Sean Parnell is planning to run as more right-wing than Congressman Don Young on taxing and spending as he tries to persuade Alaska Republican voters to dump Young in the primary. Parnell, one of two Republicans challenging Young in the August primary, spent a week in Washington, D.C., after Memorial Day meeting with a who's who of national anti-tax and spending groups: The Club For Growth, Americans for Tax Reform, the National Federation of Independent Business, the Cato Institute and the Heritage Foundation.

On Friday, the Club For Growth endorsed Parnell, and its president authored an op-ed column in the Wall Street Journal headlined "Don Young Embodies What's Wrong with the GOP." Few Alaska voters have probably heard of the group, but what this means for Parnell is money.

The Club For Growth has spent big money, in donations and on television commercials, on past races, including more than \$1 million on one primary election alone earlier this year. The group ad promises cash and possibly TV ads to help Parnell.

Young was contemptuous of the endorsement, saying the Club For Growth has never supported anything in Alaska and it just shows how out of touch Parnell is with the state and its people. He said Parnell is nothing but a surrogate for Gov. Sarah Palin.

"He has done nothing, if you'll check his legislative record," Young said. "He is a zero. A zero. It's amazing to me, I've never seen a candidate try to hook on and live off of someone else as he's doing."

Is Parnell a conservative?

Parnell, who spent eight years in the state Legislature, is calling for a one-year freeze on federal earmarks — the directions written into federal spending bills that Young and Alaska Sen. Ted Stevens have used extensively to steer money home to Alaska. Parnell says he's also for keeping taxes down and reducing "wasteful" government spending.

Parnell, though, has supported Palin proposals that drove some Alaskan conservatives

apoplectic. That includes her energy cost relief plan calling for all Alaskans to get \$100-a-month state debit cards to use at the gasoline pump. It also includes the major tax increase on oil companies the governor pushed through last year.

Parnell defends the oil tax hike by pointing to the FBI's finding there was corruption among state legislators at the time the previous oil tax was being debated.

"So at that stage, when you have proven corruption influencing a tax regime you have to make a change," Parnell said.

Parnell said Young has repeatedly advocated higher taxes that would hurt Alaskans.

"On a number of occasions he has proposed increasing the gasoline tax, most notably three weeks ago when he wanted to raise our gasoline tax to a dollar a gallon," Parnell said. "I think he's headed in the wrong direction when it comes to fiscal policy."

Young suggested raising the gas tax from 18 cents to a dollar a gallon at a House subcommittee meeting. But Young subsequently said it was not a proposal and he was only trying to wake the committee up to make the point that if Congress doesn't allow new domestic supplies of oil it will have to find a way to curb demand.

Young does, however, support a five-cent-a-gallon increase in the federal gas tax.

"If you want to build roads, if you want to have transportation, if you want to save fuel, we've got to address it. We're so far behind," Young said on Friday.

'MR. WHOEVER HE IS'

Young and Parnell also battle over earmarks. Parnell said earmark abuse is so rampant that the practice needs to be suspended for a year to rework the process and give the public confidence.

"I would like to see the number of earmarks dramatically reduced; the number has escalated significantly in the last decade. I'd like to see more openness and transparency there so the earmark sees the light of day and bears public scrutiny," Parnell said.

Parnell said most of Alaska's federal money comes from sources other than earmarks. It hurts Alaska to be a symbol of national excess and the state is capable of competing for federal funds without relying on earmarks, Parnell said.

But Young said Alaskans — cities, groups and individuals — ask him for the earmarks to fill needs the state won't. He said calling for a moratorium on earmarks is a losing strategy for Parnell.

"I hope Mr. Whoever He Is keeps saying that. I guarantee that if he was accidentally to win this primary you can just about be assured he won't (be re-elected) and be back in Washington, D.C." Young said.

The other Republican who is running for Young's seat, Kodiak state Rep. Gabrielle LeDoux, also disagreed with suspending earmarks for a year.

"I think that's naive," she said.

BLUSHING DEMOCRATS?

The conservative Club For Growth would like to scrap earmarks altogether. But club spokeswoman Nachama Soloveichik said she doesn't expect that of Parnell.

"Sean Parnell just has to show up and it will be an improvement over Don Young," she said.

Club For Growth president Pat Toomey, a former Republican congressman from

Pennsylvania, wrote in the Wall Street Journal that "Mr. Young spends taxpayer money so wastefully he could make a liberal Democrat blush."

The Club For Growth influences races by bundling contributions from its members and by running ads. Soloveichik said it gave more than \$400,000 in contributions and spent over \$600,000 on TV ads this year to defeat Maryland Republican Congressman Wayne Glichrst. He lost in that state's February primary. The group spent about \$1.5 million in 2006 to get an Idaho Republican elected to Congress, running ads criticizing the Democrat in that race as "too liberal for Idaho" and tying him to "San Francisco and New York liberals."

Alaska has a closed primary. That means only Republicans and unaffiliated voters who pick the Republican ballot will decide whether Young, Parnell or LeDoux moves on to face the Democratic nominee in the November general election.

Anchorage pollster Dave Dittman said he thinks Parnell's run to the right of Young could resonate with voters. He said Parnell might have "submerged" his conservative beliefs at times lately to be a team player with Palin but they're not inconsistent with what he did as a budget leader in the state Legislature.

There are some Alaska Republicans, though, who have a hard time seeing the 18-term Congressman Young as liberal no matter what the Club For Growth says.

"I think (Parnell) is going to have a hard time convincing Alaskans that Don Young is not a conservative," said conservative former Lt. Gov. Jack Coghill.

Find Sean Cockerham online at adn.com/contact/scockerham or call him at 257-4344. Reporter Erika Bolstad in Washington, D.C., contributed to this story.

READ THE COLUMN: Find a link to the Wall Street Journal column mentioned in the story, and talk about it, on our Alaska Politics blog.

adn.com/alaskapolitics

Illustration: Photo 1: Sean Parnell CMYK_060708.jpg

Photo 2: Young CMYK_060708.jpg

Parnell

Young

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From: Pat Toomey (Club for Growth) <pattoomey@clubforgrowth.org>

To: amhansen@aol.com

Subject: New Poll Shows Tie

Date: Thu, 14 Aug 2008 2:05 pm

Dear Steve,

A new poll done for Sean Parnell in his Alaska Republican primary race against the "Bridge to Nowhere" congressman, Don Young, shows Parnell with a four point lead, but the race is within the margin of error of the poll, so we must leave nothing to chance.

The election is now just 12 days away. Now is last chance for you to have an impact.

Now is the last chance to get rid of Young, who recently voted with Nancy Pelosi and the Democrats to raise income taxes.

Now is the last chance to defeat Young, a three-time winner of Citizens Against Government Waste's "Porker of the Month" award.

Now is the last chance to replace Young, who sided with the Democrats to override all three of President Bush's vetoes of budget-busting bills last year.

Click here to donate now to Sean Parnell's campaign.

Read what Don Young said to Republican budget cutters on the House floor last year: "This constant harping on this floor about cutting monies from other areas under the guise of balancing the budget, I say shame on you, too. I say shame on you because we are not doing the legislative process any good. . . . And like I say, those that bite me will be bitten back."

Don Young embodies what's wrong with too many Republicans today. Fortunately, we have an excellent chance to replace him with economic conservative Sean Parnell.

If you usually only donate to help win elections in November, consider this. Every public poll done in the last two months shows Young loses in November if he is the Republican nominee. Parnell is the best candidate on economic issues *and* the best candidate for winning in November.

The most recent campaign reports show that Young's #1 source of campaign funds comes from unions who love Don Young's vote for the "card check" bill that would banish secret ballot elections to organize a union.

Click here to donate now to Sean Parnell's campaign.

Sean Parnell is a different kind of politician. He is the polar opposite of Don Young in both philosophy and temperament.

Before Sean Parnell became lieutenant governor in 2006, he served two terms in the state House (1993-1996) and two terms in the state Senate (1997-2000), compiling a solid record as a fiscal conservative. During that time, he fought against several attempts to raise taxes and increase spending. Sean supports permanent repeal of the Death Tax, making the tax cuts permanent, curbing government spending and drilling for more oil and gas. Sean has also taken a pledge to oppose tax increases.

Along with Alaska's extremely popular governor, Sarah Palin, Parnell is viewed as a reformer who wants to clean up Alaska's image, making it free of corruption and pork-barrel abuses. When was the last time you heard someone call Don Young a reformer? Never. Please help Sean Parnell defeat Congressman Don Young in the August 26 Republican primary by making a donation to Sean's campaign today.

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Click here to donate now to Sean Parnell's campaign.

If you prefer not to donate online, you can call us with your credit card ready at (800) 784-2741. Or you can donate to Sean Parnell's campaign by check. Please make your checks payable to Parnell for Congress. Contributions are limited to \$2,300 per person. Then mail your check to Club for Growth PAC, 2001 L St NW, Suite 600, Washington, DC, 20036.

Best Regards,

Pat

Patrick J. Toomey
President, Club for Growth
2001 L Street, NW, Ste 600
Washington, DC 20036
PH: 202-955-5500

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If you ever want to remove email address information from your membership to the Club for Growth, just click here.

August 19, 2008

New TV and Radio Ads in Alaska

Club for Growth PAC Releases New TV and Radio Ads in Alaska Congressional Race

Washington - Today, the Club for Growth PAC begins airing a new television ad in Alaska as part of its ongoing ad buy as well as a new radio ad. The television ad will run on broadcast television and cable systems throughout the state through primary day (listen to radio ad here).

"It's sad about Don Young because after thirty-five years in Washington, he became just another Washington politician," said Club for Growth Executive Director David Keating.

Both the television and radio ads criticize Young for inserting a \$10 million earmark for a road in Florida that would benefit a real estate developer that raised \$40,000 for Young's campaign (*Anchorage Daily News*, 04/21/08). And just this year, Don Young broke his pledge to oppose all tax increases and voted with the Democrats to raise income taxes (BC #330, 05/15/08). The radio ad also informs voters that Young was absent from committee hearings 75% of the time since 2006.

"If Alaskans want to elect a true reformer, it is clear that Don Young does not fit the bill," said Keating. "In contrast, Sean Parnell has a record of conservatism and reform and that's why he was endorsed by Alaska's popular governor, Sarah Palin."

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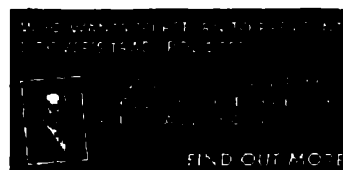
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